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Letter dated 15 September 2005 from the Secretary-General to the President of the Security Council

I have the honour to refer to the Accra III Agreement on Côte d'Ivoire signed on 30 July 2004 in Accra, to the statement by the President of the Security Council of 5 August 2004 (S/PRST/2004/29) and to my previous letters transmitting to the President of the Council the reports of the Tripartite Monitoring Group established under the Accra III Agreement.

Please find attached the seventeenth report of the Tripartite Monitoring Group, covering the period from 1 to 31 August 2005 (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Annex

Implementation of the Accra III Agreement extended to cover the Pretoria accords

Seventeenth report of the Tripartite Monitoring Group, covering the period from 1 to 31 August 2005

I. Introduction

1. The present report is prepared pursuant to the Accra III Agreement of 30 July 2004, which established the Tripartite Monitoring Group and requested it to submit regular reports on the situation in Côte d'Ivoire and on the progress made towards the implementation of the Accra III Agreement. The scope of the report is now extended to include progress made in the implementation of the Pretoria Agreement and Declaration. This seventeenth report covers major developments between 1 and 31 August 2005.

II. Overview

2. Following the ruling by the Mediator that the laws promulgated by President Laurent Gbagbo on 15 July 2005 were in conformity with the spirit and letter of the Linas-Marcoussis Agreement, the Forces Nouvelles declared on 25 August that they would not disarm while President Gbagbo remained in office, that they would not recognize the scheduled presidential elections to be held in the country in October 2005 and that they no longer recognized the impartiality of the Mediator, accusing him of siding with President Gbagbo. However, they did announce on 29 August that they would appoint their representatives to the Independent Electoral Commission.

3. The overall security situation had worsened considerably before the 25 August 2005 statement made by the Forces Nouvelles. On 20 August, the former Chief of Defence Staff General Matthias Doué gave a radio interview in which he openly called for the removal from power of President Gbagbo, threatening that if the international community were unwilling to do so, he would use all means to achieve his stated aim. This statement received the sympathy of the Forces Nouvelles. The statement was firmly condemned by the international community, and General Doué in subsequent press interviews appeared to have publicly backed off from his earlier statements.

4. The announced return to the country on 24 August 2005 of Henri Konan Bédié, former President and leader of the opposition party, the Parti Démocratique de Côte d'Ivoire (PDCI) was also postponed sine die. The Houphouétiste Alliance (RDPH), an alliance of the political parties that had previously formed the Group of Seven (G-7) without the Forces Nouvelles, announced on 29 August that in its view, conditions on the ground would not allow for elections to be held and that consequently a transition should be organized. The Alliance therefore called on all the signatories of the various peace agreements to begin discussions on a transition period to take effect from 30 October, the constitutional deadline for elections.

5. The absence of opposition ministers at the Government of National Reconciliation (GNR) Ministerial Council meeting on 25 August 2005 is further evidence of the entrenched positions of the parties to the Ivorian crisis.

III. Developments in the peace process

The Mbeki Facilitation Mission

6. The Mbeki Facilitation Mission has faced the most difficult challenge to its authority since the African Union Mediation effort began. At its inception, a number of opposition figures and newspapers had predicted its failure to achieve a restoration of peace in Côte d'Ivoire through the holding of free and fair democratic elections. Following the Mediator's recent ruling on the question of the conformity to the Linas-Marcoussis Agreement of the laws promulgated by the President, the opposition groups sought the withdrawal of the Mediator, accusing him of siding with President Gbagbo, this notwithstanding their clear agreement, in accordance with the Pretoria Agreement, endorsed by the Security Council in resolution 1603 (2005), to undertake to abide by any decision taken by the Mediator in the crisis.

7. The Secretary-General of the Forces Nouvelles, Guillaume Soro, and two of his colleagues met with President Mbeki in Pretoria on 22 August 2005 to articulate their opposition to the ruling made. The Mediator reiterated his adhesion to his ruling, and his position that the Forces Nouvelles and other armed militia in the country must proceed with the cantonment phase of disarmament, demobilization and reintegration (DDR) as set out in the Pretoria Agreement and reaffirmed in the Pretoria Declaration. Notwithstanding their disagreement with the content of the laws promulgated by President Gbagbo including the law on the Independent Electoral Commission, the Forces Nouvelles did announce on 29 August that they would authorize Mr. Soro to appoint their representatives to the Commission.

Disarmament and dismantling of militias

8. In the Pretoria Agreement, responsibility for the disarming and dismantling of all militias throughout the country was placed under the authority of the Prime Minister of the Government of National Reconciliation. The commencement of the actual disarmament of pro-government militia in the west of the country, which was set to begin at Guiglo with the disarming of some 2,000 individuals, failed to get under way on 23 August 2005 as scheduled. This was reportedly due to the National DDR Committee's not being able to pull together sufficient financial resources to commence the programme. Other delays were also reported due to the inability of the Committee to provide assurances to some of the militias of their being integrated into the National DDR Programme (PNDDR). Despite these delays, it was reported that the regroupment and dismantling of pro-government militia in the west had gotten under way on 27 August at the Committee site at Duékoué.

Forces Nouvelles zone

9. The leaders of the Forces Nouvelles met in Bouaké from 15 to 19 August 2005. Following their discussions, Mr. Soro travelled to Pretoria and met with President Mbeki on 22 August. Notwithstanding the return to Côte d'Ivoire of Mr. Soro and in spite of the measures taken by the impartial forces to ensure the security of Forces Nouvelles ministers in Government-controlled areas, the Forces Nouvelles ministers have now in effect as a group withdrawn their participation from the Government of National Reconciliation. The Forces Nouvelles announced on 25 August that they would not proceed with disarmament, demobilization and reintegration while President Gbagbo remained in office, nor would they recognize elections, and called on the Mediator to withdraw. This was a result of their inability to convince President Mbeki to reverse his ruling regarding the laws promulgated by President Gbagbo. However, on 29 August, the Forces Nouvelles announced that they would proceed with the nomination of their representatives to the Independent Electoral Commission.

Security of areas under the control of the Forces Nouvelles during the disarmament, demobilization and reintegration process

10. Prior to the 25 August 2005 declaration by the Forces Nouvelles, the Mediation and the United Nations Operation in Côte d'Ivoire (UNOCI) had completed the development of the training programme for the 600 police auxiliaries drawn from within the ranks of the Forces Nouvelles, as agreed under the Pretoria Agreement to assist in policing Force Nouvelles zones during the phase of disarmament, demobilization and reintegration. This training programme has commenced in Bouaké.

Education and end-of-year examinations

11. The Minister of Education announced on 26 August 2005 that an agreement had been reached with the Forces Nouvelles to allow for the holding of end-of-year examinations for academic year 2004-2005, which had been an outstanding issue since the end of the academic year. It has been proposed that throughout the month of September, examinations be held in Bouaké and Korhogo and other centres in the Forces Nouvelles zones so as to enable final examination results to be published before the scheduled new academic year 2005-2006 commences.

Electoral process

12. Notwithstanding the increased tension in Côte d'Ivoire, particularly in Abidjan, the official political parties have continued to mobilize their support base and constituents for the upcoming elections. Campaign rallies have continued unabated in and around Abidjan and other areas within Government-controlled territory, with the PDCI opposition party holding conventions throughout Government-controlled areas and electing Mr. Konan Bédié as their presidential candidate for the upcoming elections.

13. The arrival at post on 8 August 2005 of Antonio V. Monteiro, the United Nations Secretary-General's High Representative for the elections in Côte d'Ivoire is generally viewed as a welcome and timely development. The Independent

Electoral Commission, which was to have commenced its activities on 30 July, has not begun its operations owing to the stance of the opposition parties and the Forces Nouvelles in the controversy surrounding the laws promulgated by President Gbagbo. The National Institute of Statistics has been able to conduct pilot tests of its methodology for the compilation of the electoral registers in a number of areas in the Greater Abidjan zone pending the commencement of work by the Commission.

14. The failure of the Independent Electoral Commission to begin working and the continued inability, despite the efforts of the National Institute of Statistics, to complete the identification process and publish electoral registers 90 days before election date as required by the electoral law have created doubts whether elections can still be held on 30 October 2005, as constitutionally scheduled. In this regard, calls have been made by both the Forces Nouvelles and opposition political commentators for the elections to be deferred and a period of transition provided. Although the majority of the political commentators in the country have expressed reservations about the holding of elections, only the Houphouëtiste Alliance comprising the Parti Démocratique de Côte d'Ivoire, the Rassemblement des Républicains (RDR), the Mouvement des Forces de l'Avenir (MFA) and the Union pour la Démocratie et la Paix en Côte d'Ivoire (UDPCI), as well as the Parti Ivoirien des Travailleurs (PIT) has categorically stated its desire for a transition period.

15. Notwithstanding the voicing of concern throughout the reporting period, Mr. Monteiro met with President Mbeki on 17 August 2005 and issued a statement indicating the continued aim of holding elections on 30 October. However, subsequent statements accredited to him indicate his readiness, if absolutely necessary, to consider some adjustment of the scheduled election programme. Mr. Monteiro is expected to present his report on the holding of elections to the Security Council on 31 August.

Press

16. Press coverage of the crisis in Côte d'Ivoire continues to be of concern. The press agencies have been called upon by national and international observers to adhere to a policy of avoiding incitement to hatred, intolerance and xenophobia. This message was emphasized by the Chief of Staff of the Forces de Défense et de Sécurité (FDS) General Philippe Mangou in a meeting with the press corps in which he called for responsible reporting of news in order not to inflame passions in the country.

Human rights

17. The human rights situation in Côte d'Ivoire has continued to worsen in the reporting period. Reports continue to be received from various human rights organizations of serious human rights violations and breaches of international humanitarian law including arbitrary detentions, killings, child trafficking and rape throughout the country in both the Forces Nouvelles- and Government-controlled areas.

Humanitarian assistance, economic recovery and reconstruction

18. The Ivorian economy continues to suffer the adverse consequences of the crisis. The Direction Générale des Impôts (DGI), the tax authority, has continued to try to widen the scope of the tax collection base through various schemes in Government-controlled areas in an effort to increase State revenues. The economy continues, however, on its downward trend and the outlook remains bleak as infrastructure continues to deteriorate and fall into disrepair.

19. Humanitarian organizations continue to complain of harassment at checkpoints and the non-respect at times of their symbols, assets and personnel. The living conditions of the Ivorian population, particularly in the west and the north, continue to worsen, with significant interruptions in the supply of potable water in both rural and urban areas, and diminishing access to basic health care. Common previously checked childhood diseases and mortality rates are on the increase. There are reported to be currently 500,000 vulnerable internally displaced persons of which some 120,000 live in Abidjan and 30,000 in Yamoussoukro.

20. The supply of food for households has generally remained stable; however, population displacements and the increase in transportation costs render this situation fragile as many host households find themselves increasingly unable to cope with the rising food prices.

21. Although the Comité National pour le Redéploiement de l'Administration, the national body responsible for the redeployment of the civil service, has decided to redeploy 17,000 civil servants to the north and 3,000 to the west, the civil servants required for the provision of amenities cannot be deployed until their safety has been ensured.

IV. Conclusion

22. Côte d'Ivoire is at a crossroads and is facing grave dangers. The foreseeable and predictable catastrophe for the Ivorian state and people, due primarily to the endless scheming of the political actors, is now staring all of us in the face and looming larger by the day. Given the general threat of chaos that could be posed by a failure to hold the critical presidential elections by the constitutional deadline of October 2005, the time has come for the international community to call to effective account all those who, from personal or political party interests, are holding the nation and its beleaguered population hostage.

Signed on behalf of the Group

Ambassador Raph Uwechue
Chairman
31 August 2005